

AO91 (Rev. 8/01) Criminal Complaint

US MAGISTRATE COURT
JSH-SDTX

CLR

UNITED STATES DISTRICT COURT

FILED

APR - 2 2015

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

Laredo Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Daisy GARCIA
McAllen, TX
US

Case Number: 5:15mj 385-1

(Name and Address of Defendant)

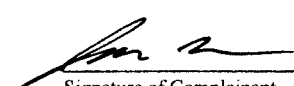
*Next Affy
7/21/15
4/16/15 ple
@ DAN*

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about March 30, 2015 in Webb County, in the Southern District of Texas Daisy GARCIA defendant(s), a citizen of the United States, did unlawfully transport 3 undocumented alien(s) within the Southern District of Texas knowing or in reckless disregard of the fact that said alien(s) had come to, entered, or remained in the United States in violation of law, and transported or moved said alien(s) within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law;

in violation of Title(s) 8 United States Code, Section(s) 1324
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: Based on statements of the accused and records of the U.S. Department of Homeland Security.

Continued on Affidavit

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No
 /S/
Signature of Complainant
John Lewis

Printed Name of Complainant

Sworn to before me and signed in my presence,

April 02, 2015

Date

at

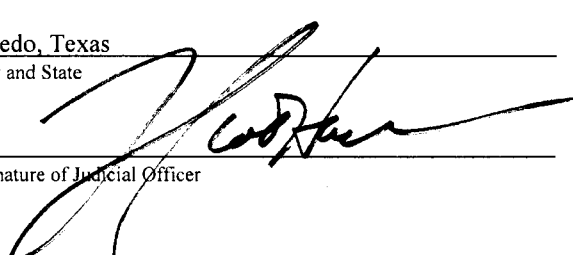
Laredo, Texas

City and State

J. Hacker

, U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

In support of Criminal Complaint

**UNITED STATES OF AMERICA
V.**

CRIMINAL COMPLAINT

Daisy GARCIA

Case Number:

On March 30, 2015, Daisy Garcia arrived at the Border Patrol checkpoint on FM 1017 near Hebbronville, Webb County, Texas. While in primary inspection, GARCIA, stated she was a U.S. citizen when asked, but appeared very nervous by stuttering and adjusting her sunglasses several times. Border Patrol canine handler instructed the primary agent to refer driver and vehicle to secondary inspection for a more thorough inspection due to a canine alert. In the secondary inspection area, Garcia was told to step out of the car and stand to the side. Border Patrol then opened the trunk of the car revealing three hidden people in the trunk. Subjects were later identified as Chaparro-Torres, Marco Antonio, Mendez-Lopez, Wilfido Ariel and Barrientos-Gonzalez, Juan. At this time, GARCIA was arrested for Transporting Aliens and was transported to the Hebbronville Border Patrol Station along with the three undocumented aliens. All the subjects were removed from the inside of the vehicle's trunk and were asked if they were in good health. All subjects stated that they were in good health. All the subjects stated they were in the United States illegally with no legal documentation to be in the United States.

PRINCIPAL STATEMENT:

On March 30, 2015, at 1:50 p.m., Daisy GARCIA, was read her rights as per service form I-214. GARCIA understood her rights by signing form I-214 and declined to give a statement to Border Patrol Agents regarding her involvement in the smuggling attempt that occurred on March 30, 2015. At this point, all questions ceased and no further questions were asked.

MATERIAL WITNESS STATEMENT (MENDEZ-Lopez, Wilfido Ariel):

Mendez stated that his family made arrangement to get him smuggled into the United States and that they were to pay \$9,000.00 USD and that his intended destination was the state of New York. He stated he was approached by a person in Mexico who transported him to a house where he remained for several days before being smuggled illegally into the United States on March 23, 2015 at approximately 12:00 pm near Hidalgo, Texas by wading across the Rio Grande River. Mendez stated that once in the United States, he remained in an unknown hotel where he was later picked up by an unknown man who instructed him to get inside the trunk of a vehicle to avoid detention and apprehension and at that time there was another person inside the trunk. Mendez stated that they drove around until they made a stop and a third person jumped inside the trunk with them. Mendez stated he never received any instructions or guidance on how to exit the vehicle's trunk in the event of an emergency. Mendez claimed to have traveled a short distance before they made another stop where he believes the driver switched with another person. The subject then states once the new driver got in the vehicle he continued driving for another hour. Mendez positively identified Daisy Garcia by pointing at her in holding cell No. 157 at the Hebbronville Border Patrol Station as being the driver of the vehicle he saw when he was removed from the trunk of the vehicle at the Checkpoint.

MATERIAL WITNESS STATEMENT (CHAPARRO-Torres, Marco Antonio):

Chaparro made arrangements with an unknown man in Mexico to be smuggled into the United States. He claims arrangements were made to take him to Houston, Texas for a fee of \$3,500.00 USD. Chaparro indicated his intended final destination was New York. Chaparro stated that half of the money was paid in advance and the other half would be paid by his cousin upon his arrival to Houston, Texas. Chaparro stated he waded across the Rio Grande River illegally on March 28, 2015 at approximately 12:00 pm. He further stated that once he was smuggled into the United States, he remained in a hotel before being picked up by an unknown man in a silver car who instructed him to get inside the vehicle. He stated that they drove around until they got to a parking lot where he was instructed to get inside the trunk of the vehicle, remain silent, and not to move in order to avoid detection. Chaparro claims to have never received any instructions or guidance on how to exit the vehicle's trunk in the event of an emergency. He further stated that it was hot inside the trunk and that he remained in the vehicle's trunk until two other people were loaded inside the trunk with him. Chaparro stated they drove a short distance before he heard the driver exit the car and then someone came back and started to drive. Chaparro claims he feared for his life when it got too hot inside the trunk. Chaparro positively identified GARCIA, Daisy by pointing at her in holding cell No. 157 as being the driver he saw when he was removed from the vehicle's trunk at the Border Patrol Checkpoint.

SUBSCRIBED and SWORN to before me this _____ day of _____.

Signature of Judicial Officer



Signature of Complaint